

**Minutes of the Regular Meeting of The  
New Jersey Maritime Pilot and Docking Commission**

**February 19, 2019**

The regular meeting of the New Jersey Maritime Pilot and Docking Pilot Commission was held on Tuesday, February 19, 2019 at One Penn Plaza East, 9<sup>th</sup> Floor Board Room, Newark, NJ 07105.

Commissioner Dacey called the meeting to order at 10:05 AM.

Open Public Meeting Statement

Pledge of Allegiance

Roll Call

Commissioner Timothy J. Dacey (present); Commissioner Brian McEwing (absent); Commissioner Jacob Shisha (present);

Approval of the January 15, 2019 regular meeting minutes

A motion was made by Commissioner Shisha and seconded by Commissioner Dacey to approve the January 15, 2019 meeting minutes. All voted in favor.

Resolution #19-04 to approve the February, 2019 Treasurers  
Report

A motion was made by Commissioner Shisha and seconded by Commissioner Dacey to pass Resolution #19-04 to approve the February, 2019 Treasurers Report. All voted in favor.

## Executive Director's Report

- A. Service Award Presentation - Ms. Stuckey presented service awards from the Governor's office to herself, Commissioner Dacey. She informed Commissioner Dacey that there was also an award for Commissioner McEwing that he could present at the March meeting.
- B. Trip Log - Ms. Stuckey provided the Commission with a copy of the updated trip log maintained by the Commission's office.
- C. Hudson River - This month there was a report of only one transport job on the Hudson River. Ms. Stuckey advised the Commission that after conversations with the New York Executive Director Frank Keane, Sandy Hook New Jersey and New York's Presidents she has been advised the Hudson River Pilots Association is stable at this point. They have enough work for all their pilots and are even looking into bringing on new apprentices in anticipation of future retirements. The Commission currently has one pilot Captain Ireland who will retire from Hudson River and Captain Tribus who does the occasional transport job. At this point, Ms. Stuckey believes the Commission does not have to continue to monitor the situation on the Hudson River as it has worked itself out.
- D. Commission Advisory #19-001 - Ms. Stuckey provided the Commission with a copy of the advisory that was distributed on February 5<sup>th</sup> to all New Jersey pilots and apprentices regarding the policy set for annual appearance dates. Ms. Stuckey did receive feedback from some of the pilots however, she believes it was effective and the Commission will have fewer issues moving forward. Ms. Stuckey thanked counsel for reviewing the advisory and his input.
- E. FY18 Audit - All necessary reports, bank statements, cancelled checks and the accounting from Trenton were distributed to the accountant for completion of the Commission's FY2018 audit. Ms. Stuckey advised the Commission that she was hoping to have the draft for this meeting, however this is tax season. The auditor has promised to get the draft to her before the end of the month. Ms. Stuckey advised that once she receives the draft, she will set up a conference call for the Audit Committee to review the audit.

- F. Rule Proposal - The proposal has been published in the New Jersey Register, the Star Ledger, Trenton Times and posted on the Commission's website. The comment period expires on March 8<sup>th</sup>. So far no comments have been received. If no comments are received on March 9<sup>th</sup>, they will be resubmitted to the Governor's office for final approval. If that scenario plays out, the timeline will be moved up a month and they may become effective on April 15<sup>th</sup> instead of May 20<sup>th</sup>.
- G. Atlantic City Test - The study guide has been distributed and four pilots are scheduled to take the Atlantic City test on March 15<sup>th</sup>. Ms. Stuckey will have a resolution on the March agenda to approve the endorsements for those pilots that pass. Ms. Stuckey does not plan to have the pilots come in for the presentation of the endorsements. They can be mailed unless the Commission would like to present them at a future meeting.
- H. Docking Pilot Apprentice selection Process - The announcement has been posted on the Commission's website and published in the trade publications. So far, the Commission has received one request for an application, but no submissions.
- I. 2018 Annual Report - Ms. Stuckey has begun to collect the information for the annual report and is sorting through over 200 submissions of photos from the pilots. The theme for this year's report is going to be Bigger, Better and still Growing strong. Ms. Stuckey will highlight that even with the larger vessels entering the port, traffic remains steady and cargo is up.
- J. Apprentice Training Report - Ms. Stuckey provided the Commission with a copy of the Sandy Hook monthly Apprentice Training Report.
- K. Annual meeting with the New York Commission and joint presidents. The meeting took place on February 11<sup>th</sup>. Ms. Stuckey advised that the meeting touched on many topics which included the state exam, Hudson River, Apprentice Selection, pilot reporting procedures and the submission of paperwork to the Commission. A lot of these conversations will continue especially, the discussions regarding the exam and apprentice selection. As issues continue to get

worked through, Ms. Stuckey will report back to the Commission with recommendations.

L. Harbor Ops Meeting - Ms. Stuckey attended the Harbor Ops meeting which took place on January 16<sup>th</sup>. Ms. Stuckey applauded Captain Tama and his skeleton crew for hosting the meeting during the government shut down. This shows his strong commitment to port safety.

- Captain Tama reported on the demolition of the Tappan Zee Bridge span on the east side which took place on January 15<sup>th</sup> as a result the 600ft channel is open. They are still studying the western span before that demolition is scheduled.
- Captain Tama spoke about the closure and how it was affecting mariners and gave recommendations on how non-problematic paperwork could get streamlined.
- It was reported that a Committee was established to address the offshore wind issue. That committee consists of pilots, a member of the energy sub-committee and Coast Guard officers. Ms. Stuckey advised the chair of the committee who is Captain Andrew McGovern that she will set up a meeting for the committee to discuss the issue with the Governor's policy advisor. Ms. Stuckey has had the conversation with Adam Sternbach and he will let her know when they are ready for the meeting.
- The following updates were given:
  1. Newark Bay area was completed to 50 feet.
  2. Plans to dredge Sandy Hook were initially scheduled to take place this summer, but will probably be delayed because of the shutdown.
  3. Contracts have been advertised for East Rockaway.
  4. North Atlantic Marine Highway Alliance was formed to study movement of cargo by barge an issue that has been looked at by several entities. It is great idea if someone can figure out the logistics and financials to make it work.
  5. The Port Authority retained a consultant to review berths to determine the amount of work needed to strengthen them.
  6. New York shipping is working with the Waterfront Commission and the ILA to bring on at least 500 new longshoremen.

M. COMTO - Ms. Stuckey has been appointed to be an advisor for the Conference of Minority Transportation Officials. In this role, she will be advising senior staff on programs and different initiatives throughout the year. Ms. Stuckey will deliver the keynote address at their annual Garret A. Morgan Shadow Day and will be the master of ceremonies for their annual scholarship awards luncheon. Lastly, she will mentor young college students who are seeking careers in the transportation industry. The first shadow day will take place on March 22<sup>nd</sup>. She will take four students to Sandy Hook, give them a tour of the facility, have them meet with Chris Maglin and talk to some of the pilots.

N. Maritime Hall of Fame Dinner - International Maritime Hall of Fame dinner will be held on May 8, 2019 at the downtown Grand Hyatt in New York.

O. Articles of Interest - Ms. Stuckey provided the Commission with several articles of interest and encouraged them to read all at their leisure.

#### Public Comment (s)

Comments from Captain Brendan Foley, President, Sandy Hook Pilots Association:

Captain Foley reported that Sandy Hook pilots Association has signed an agreement to bring in a replacement for the pilot boat New York. Although they expect it to be a lengthy transition, he believes the new boat will be a great addition to the Sandy Hook Pilots Association.

Captain Foley reported that LNG ships are attempting to come into the New York/ New Jersey harbor. He advised that the Coast Guard and the docking pilots are aware of the situation. Captain Foley advised that the situation is just in the planning stages and will be monitored going forward.

Commissioner Dacey advised that his main concern is how and where these ships will be refueled.

Captain Foley advised that it is just in the conversation stages, but there is an understanding from all parties that the ships will not be refueling in our ports.

Comments from Captain Robert Flannery, Captain, Metro Pilots Association:

Captain Flannery reported that on Wednesday, the Waterfront Commission agreed to hire five hundred new longshoremen.

Captain Flannery reported that Port Elizabeth between berths 76 and 92 are now 50 feet berths.

Captain Flannery reported that he, the Coast Guard, Captain Dan Foley, Captain Bob Ellis and the agents for marine terminals had a meeting. He advised that the meetings used to include the agents and the terminals, but that was not the case this time. He reported that the main topic of discussion were ships not leaving the port on time. Captain Flannery reported that they all are scheduled to meet again in about a month with the terminals and its agents to figure this situation out. He believes that the situation can be worked out with all parties just communicating.

Captain Flannery reported that Captain Douglas Brown may be retiring in March due to the death of his daughter. He advised that he will keep the Commission updated on the situation.

Comments from Ed Kelly, Executive Director, Maritime Association:

Mr. Kelly reported that the Hudson River Harbor Ops Committee will be meeting on March 25<sup>th</sup>.

Mr. Kelly reported that the Maritime Association is having their membership luncheon at the India house on February 27<sup>th</sup> at 12pm.

Mr. Kelly reported that the Maritime Association's shipping 101 class will be opening and accepting registration from April 8-12. Class is scheduled to start on May 8<sup>th</sup>.

Mr. Kelly reported that he will be attending the NOAH review panel meeting on precision navigation from March 5-7<sup>th</sup>.

Comments from Captain Adam Richardson, Vice President, Interport Pilots Association:

Captain Richardson reported that Interport pilots are pleased to continue their policy of supporting New Jersey businesses by having their pilot boat maintained and rebuilt by

a local marine diesel facility. He reported that they are looking forward to having the boat for another twenty plus years.

Ms. Stuckey advised that if any of the Associations will be attending the Hudson River Harbor Ops meeting, to please give her an update.

Resolution #19-05 to Approve the Appointment of Captain Luke Carrick into the Sandy Hook Pilot's Association Apprentice Training Program

Ms. Stuckey reported that Captain Luke Carrick is in the process of relocating. He was working off-shore at the time he received the call to report for appointment. She advised the Commission that Sandy Hook would like to bring Captain Carrick in on March 1<sup>st</sup> and would like the Commission to vote on the resolution today. Ms. Stuckey advised that Captain Carrick would be attending the March 19<sup>th</sup> meeting to be sworn into the Sandy Hook apprentice training program.

A motion was made by Commissioner Shisha and seconded by Commissioner Dacey to Approve the Appointment of Captain Luke Carrick into the Sandy Hook Pilot's Association Apprentice Training Program.

All voted in favor.

Resolution #19-06 to Approve the Upgrade of Captain Sal Rivas

Ms. Stuckey advised the Commission that Captain Rivas was scheduled to appear on March 19<sup>th</sup>. She recommended that the Commission vote on the resolution today so that Captain Rivas can be upgraded on March 1<sup>st</sup> and appear before the Commission on March 19<sup>th</sup>. She has reviewed his file and all his paperwork is in order.

The Commission agreed and voted to approve the upgrade of Captain Sal Rivas.

A motion was made by Commissioner Shisha and seconded by Commissioner Dacey to Approve the Upgrade of Captain Sal Rivas.

All voted in favor.

Presentation of Retirement Certificate to Captain William Hansen

Ms. Stuckey reported that Captain Hansen will be retiring as of February 28<sup>th</sup> and expressed that he would like to have his family present when he receives his certificate. He advised that his son works off-shore and asked if the Commission would put his presentation off until the April meeting so his son and two

daughters could be present. Ms. Stuckey advised the Commission that although Captain Hansen will be recognized in April, he will not be working after February 28<sup>th</sup>.

The Commission agreed to table Captain Hansen's presentation until the April 16<sup>th</sup> meeting.

#### Executive Session

WHEREAS, the open Public Meetings Act provides that a public body such as The New Jersey Maritime Pilot and Docking Pilot Commission may meet in closed session to discuss legal and personnel matters, and

WHEREAS, the Commission desires to meet in closed session to discuss such matters.

NOW THEREFORE, be it resolved that the Commission shall at this time meet in closed session to discuss such matters the substance of the closed session would be disclosed publicly only if it would not warrant an invasion of privacy or constitute a breach of the attorney client privilege.

A motion was made by Commissioner Shisha and seconded by Commissioner Dacey that the Commission goes into Executive Session.

All voted in favor.

The Commission went into Executive Session at 10:31 AM.

#### Return to Public Session

A motion was made by Commissioner Shisha and seconded by Commissioner Dacey that the Commission return to Public Session.

All voted in favor.

The Commission returned to Public Session at 11:10 AM.

#### Adjournment

A motion was made by Commissioner Shisha and seconded by Commissioner McEwing that the meeting be adjourned.

All voted in favor.

The meeting was adjourned at 11:11 AM.